

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TARA MCCALVIN, GHANI SMITH,	:	CIVIL ACTION
HOLLI WISE, JAMES C. DEVIESE and	:	
TERESA DEVIESE, On Behalf of	:	
Themselves and All Others Similarly	:	
Situated	:	
	:	
	:	
v.	:	
	:	
CONDOR HOLDCO SECURITIZATION	:	
TRUST, CONDOR ASSETCO	:	
SECURITIZATION TRUST and CONDOR	:	
RECOVERY SECURITIZATION TRUST	:	NO. 17-1350

## ORDER

**NOW**, this 6th day of November, 2018, upon consideration of the Plaintiffs' Motion for Final Approval of Class Action Settlement (Document No. 92) and after hearings on August 7, 2018 and November 5, 2018, and the Findings of Fact and Conclusions of Law (Document No. 94), it is **ORDERED** that the motion is **GRANTED**.

**IT IS FURTHER ORDERED** as follows:

1. The Class Action Settlement Agreement and Release entered into between the parties on June 18, 2018 (“Settlement Agreement”) is **APPROVED** as fair, reasonable and adequate.

2. The settlement claims of the Class Representatives and the Class Members are compromised, settled, released, remised, discharged and dismissed as against Condor HoldCo Securitization Trust, Condor AssetCo Securitization Trust, and Condor Recovery Securitization Trust (the “Trusts”) on the merits and with prejudice in accordance with the terms of the Settlement Agreement.

3. The Class Representatives and the Class Members and all persons claiming by or through them are **PERMANENTLY BARRED** and **ENJOINED** from instituting, commencing and/or prosecuting, directly or indirectly, any claim, suit or proceeding against the Trusts with respect to any and all settled claims against the defendants.

4. Pursuant to the terms of the Settlement Agreement, the Trusts:

a. have deposited \$5,700,000.00 ("Settlement Funds") into a Settlement Fund at PNC Bank, N.A., which will be used to pay members of the Class, costs of settlement administration, class representative service awards and approved counsel fees and costs;

b. shall advise all consumer reporting agencies to which they report to delete the Trusts' auto loan tradelines on each Class Member's credit report; and

c. shall waive and eliminate deficiency claims on Class Members' vehicle loans, totaling over \$14,000,000.00, unless the Class Member elected not to accept this relief.

5. Class Counsel is awarded from the Settlement Fund attorneys' fees in the amount of \$2,280,000.00, and out-of-pocket expenses in the amount of \$32,500.00.

6. The Class Representatives are awarded from the Settlement Fund as follows:

- a. \$5,000.00 to Tara Mccalvin;
- b. \$5,000.00 to Ghani Smith;
- c. \$5,000.00 to Holli Wise;
- d. \$2,500.00 to James C. Deviese; and

e. \$2,500.00 to Teresa Deviese.

7. If there is more than \$100,000.00 remaining after distribution of the Settlement Fund to Class Members, settlement administration expenses, class representative service awards, Class Counsel fees and litigation expenses, plus interest accrued on the Settlement Fund, there shall be a second distribution of the residue, in equal shares, to those Class Members who cashed their checks. The second distribution checks shall be good for a period of sixty days.

8. All residual funds remaining after any second distribution shall be distributed by the Settlement Administrator to Community Legal Services of Philadelphia, Pennsylvania as the approved *cy pres* beneficiary.

8. The parties are directed to carry out their obligations under the Settlement Agreement in compliance with this Order.

9. This action is **DISMISSED WITH PREJUDICE**.

10. The Court retains jurisdiction over this action, the parties and each of the Class Members for all matters relating to this action and the Settlement Agreement, including those matters relating to the interpretation, administration, implementation, effectuation and/or enforcement of the Settlement Agreement and this Order.

11. **FINAL JUDGMENT** shall be entered pursuant to Federal Rule of Civil Procedure 58.

/s/ Timothy J. Savage  
TIMOTHY J. SAVAGE, J.